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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,447	02/04/2002	Paul J. Smith	UTL 00151	7551

7590 08/27/2003  
Kyocera Wireless Corp.  
Attn: Patent Department  
PO Box 928289  
San Diego, CA 92192-8289

EXAMINER

LEON, EDWIN A

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/067,447

Applicant(s)

SMITH ET AL.

Examiner

Edwin A. León

Art Unit

2833

-- Th MAILING DATE of this communication app ars on the cover sh t with the correspondenc address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-10, 12, 13 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-10, 12, 13 and 17-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed June 10, 2003 in which Claims 1 and 10 have been amended and Claims 4-5 and 14-16 have been cancelled, has been place of record in the file as Paper No. 6.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-10, 12-13 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (U.S. Patent No. 2,922,211). With regard to Claim 1, Boyd discloses a recessed fastener adapter device comprising: an interface (46) having a top surface; and a fastener head engaging surface (inside surface of 46), a fastener head (62) having a top surface and wherein the fastener head engaging surface (inside surface of 46) engages a fastener head (62) and recesses the fastener head (62) and wherein neither the top surface of the interface (46) nor the top surface of the fastener head (62) protrudes from a top surface of a panel (32). See Figs. 1-3.

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However, Boyd doesn't show the adapter being used for recessing the fastener on a printed wire board.

Applicant's admitted prior art discloses the use of fastener in printed wire boards.

Fig. 1B.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the adapter device of Boyd in a printed wire board as taught in Applicant's admitted prior art in order to install the printed wire board to any structure more efficiently and securely.

With regard to Claim 2, Boyd discloses the interface (46) including a tube (body of 46) with an exterior surface, wherein a flange (48) extends radially outward from the exterior surface, and wherein the flange (48) has an upper surface. See Figs. 1-3.

With regard to Claim 3, Boyd discloses the fastener head engaging surface (inside surface of 46) including the tube (body of 46) having a closed end (lower part of 46) with a bore (Fig. 2). See Figs. 1-3.

With regard to Claim 6, Boyd discloses the interface (46) including a tube (body of 46) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 46) including the tube (body of 46) having a closed end (lower part of 46) with a stepped bore (Fig. 2). See Figs. 1-3.

With regard to Claim 7, Boyd discloses the tube (body of 46) exterior surface having a protrusion (52). See Figs. 1-3.

With regard to Claim 8, Boyd discloses a step in the tube (body of 46) exterior surface forms the protrusion (52). See Figs. 1-3.

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With regard to Claim 9, Boyd discloses the tube (body of 46) exterior surface being grooved (52). See Figs. 1-3.

With regard to Claim 10, Boyd discloses a system, the system comprising: a panel (32) having a fastener hole (where 12 is inserted), a top surface, and a bottom surface; and, a recessed fastener adapter (12) including: a interface (46) including a top surface; and, a fastener head engaging surface (inside surface of 46), and the interface (46) interfacing with the panel (32) at the fastener hole (where 12 is inserted); and, wherein the fastener head engaging surface (inside surface of 46) engages a fastener head (62) having a top surface and recesses the fastener head (62) and wherein neither the top surface of the interface (46) nor the top surface of the fastener head (62) protrudes from a top surface of a panel (32). See Figs. 1-3.

However, Boyd doesn't show the adapter being used for recessing the fastener on a printed wire board.

Applicant's admitted prior art discloses the use of fastener in printed wire boards. Fig. 1B.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the adapter device of Boyd in a printed wire board as taught in Applicant's admitted prior art in order to install the printed wire board to any structure more efficiently and securely.

With regard to Claims 12 and 21-24, Boyd discloses the interface (46) including a tube (22) with an exterior surface, wherein a flange (48) extends radially outward from the exterior surface, wherein the flange (48) has an upper surface. See Figs. 1-3.

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With regard to Claim 13, Boyd discloses the fastener head engaging surface (inside surface of 46) including the tube (22) having a closed end (lower part of 46) with a bore (Fig. 2). See Figs. 1-3.

With regard to Claims 17-18, Boyd discloses the interface (46) including a tube (22) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 46) includes the tube (22) having a closed end (lower part of 46) with a stepped bore (Fig. 2). See Figs. 1-3.

With regard to Claim 19, Boyd discloses the tube (22) exterior surface having a protrusion (52). See Figs. 1-3.

With regard to Claim 20, Boyd discloses a step in the tube (22) exterior surface forms the protrusion (52). See Figs. 1-3.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-3, 6-10, 12-13 and 17-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

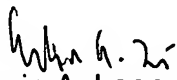
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

  
Edwin A. Leon  
AU 2833

EAL  
August 14, 2003

  
P. AUSTIN BRADLEY  
SUPERVISORY PATENT EXAMINER  
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